

ORDINANCE 68-A0-4
COMMERCIAL ZONING DISTRICTS
SIGN REGULATIONS
OF
MARION COUNTY, INDIANA

METROPOLITAN PLANNING DEPARTMENT
1968

COMMERCIAL ZONING DISTRICTS
SIGN REGULATIONS
OF
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BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957 adopted by the Marion County Council on March 28, 1957, and subsequently amended, pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof, as amended, by the addition of the following provisions and the repeal of all provisions in conflict be amended herewith:

1. COMMERCIAL ZONING DISTRICTS SIGN REGULATIONS

The following SIGN REGULATIONS shall be applicable to all uses (except GASOLINE SERVICE STATIONS, which are regulated by the sign provisions of Ordinance 66-A0-4) in commercial or business zoning districts in Marion County, Indiana. Provided, however, this ordinance shall not apply to uses in Central Business Districts. One, Two and Three, which are regulated by the sign provisions of Ordinance 64-A0-1.

SIGN REGULATIONS

A. DEVELOPMENT STANDARDS

All signs and sign structures shall comply with the following development standards:

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| 1. GENERAL
REGULA-
TIONS | a. No sign or sign structure attached to the wall of a building shall extend more than six (6) feet above the roof or parapet line of such building. |
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- b. Roof top signs or sign structures shall not extend more than thirty (30) feet above the roof line. Roof top signs or sign structures shall not extend beyond or overhang any exterior wall of the building upon which secured.
- c. Signs may be illuminated, flashing, or animated. Light reflectors shall not extend more than twelve (12) feet from the face of the sign.
- d. Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface thereof and shall not:
 - (1) be greater than three (3) feet in vertical measurement above the marquee;
 - (2) extend vertically below the marquee or canopy limits;
 - (3) extend horizontally more than eighteen (18) inches beyond the marquee or canopy limits
- e. Signs located on an awning shall be affixed flat to the surface thereof, shall not extend vertically or horizontally beyond the limits of the awning, shall be non-illuminated, and may indicate only the name and/or address of the use.
- f. No sign structure except a projecting sign structure, attached to the wall of a building shall extend more than eighteen (18) inches horizontally from such wall.
- g. Not more than one projecting sign structure shall be allowed for each grade level use and the maximum surface area of such sign shall not exceed two hundred forty (240) square feet per side. (One side of a projecting sign shall be considered in computing total allowable sign surface area.) No sign structure shall project closer than eighteen (18) inches to an imaginary perpendicular vertical plane at the street pavement line and in no case shall such sign structure extend more than eight (8) feet from or beyond its supporting building, structure or column. No projecting sign or sign structure (except for the supporting building, structure or column) shall be, at its lowest point, less than nine (9) feet above grade level.
- h. No sign or sign structure shall be placed on private or public property without the written consent of the owner or agent thereof.

- i. No sign or sign structure other than official highway markers shall be placed upon any street or highway right-of-way.
- j. No advertising or business sign, sign structure or device shall be affixed to, displayed or located upon any utility pole, light standard, telephone booth, public transportation or school bus passenger shelter or bench, or similar structure, equipment or appurtenance located upon any public right-of-way, utility easement, or other public or private property.
- k. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display.
- l. No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad grade crossing.
- m. Temporary signs announcing construction, remodeling, or rebuilding; sale, lease, or rental shall be permitted for each lot frontage. Such signs shall be removed when construction, sale, lease or other indicated purpose is completed. One temporary sign not exceeding sixty-four (64) square feet shall be permitted for each lot frontage of one hundred fifty (150) feet or less. Temporary signs not exceeding one hundred sixty (160) square feet shall be permitted for each lot frontage of more than one hundred fifty (150) feet provided, however, that no two signs shall be located closer than three hundred (300) feet on any one lot. Where lot frontage is sufficient to permit two signs, one sign may be used in substitution, provided the total area does not exceed two hundred forty (240) square feet. Only one side of a double-faced sign shall count toward total temporary sign area permitted.
- n. Signs or sign structures shall be set back in accordance with the building setback lines required by the applicable zoning district. In case the supporting building, structure, or column for a projecting sign is located closer than eight (8) feet to the building setback line, the projecting sign may extend in front of said setback line, but not more than eight (8) feet beyond its supporting building, structure or column.

- o. Any sign or sign structure located on a lot which abuts a residentially zoned lot shall be set back so as to meet the side, rear, and front setback requirements of said abutting residential district if such residential setback requirements exceed those of the commercial district. In any event, no sign facing the side or rear lot line of an abutting residentially zoned lot shall be located with fifty (50) feet of such side or rear lot line. Flashing and/or animated signs shall be prohibited within three hundred (300) feet of any residentially zoned lot.
- p. If a street elevation to which the sign is oriented is more than ten (10) feet greater than the grade elevation at the base of the sign structure the street elevation may be used in determining the permitted height; however, in no case shall height above grade elevation at the base of the sign structure exceed eighty (80) feet. This provision shall apply to all sign structures erected upon the ground.
- q. Maintenance and Removal.
 - (1) All signs and sign structures shall be kept in repair and in proper state of preservation.
 - (2) Signs which are no longer functional or are abandoned shall be removed or relocated in compliance with the provisions of this ordinance, within thirty (30) days following such disfunction.
 - (3) Any legally established non-conforming sign shall be permitted without alteration in size or location. If such sign is damaged exceeding two-thirds (2/3) of its replacement values, it shall not be rebuilt; provided, however, that nothing herein shall prevent maintenance, repainting or posting of legally established non-conforming signs.

- 2. ADVERTISING SIGNS
 - a. One advertising sign structure shall be permitted on a lot having a frontage of less than four hundred (400) feet; one additional advertising sign structure shall be permitted for each four hundred (400) feet of frontage in excess of four hundred (400) feet. An advertising sign structure shall not exceed eighteen (18) x fifty-five (55) feet, and shall not contain more than two (2) advertising signs per facing. On lots where more than one advertising sign structure is permitted, there

shall be a lineal distance of at least two hundred fifty (250) feet between structures -- except, however, in the case of single-faced signs, where the back of one sign faces the back of another sign and there is no intervening sign structure.

- b. Maximum height of advertising sign structures shall not exceed forty (40) feet above grade level at the base of such structures except when qualifying under section A, 1, p.

3. BUSINESS
SIGNS

- a. The sign surface area of all business signs on a lot shall not exceed two hundred (200) square feet for the first fifty (50) feet of the lot's street frontage, plus an additional three (3) square feet in area for each lineal foot of street frontage over fifty (50) feet. In addition, in the case of a corner lot, twenty percent (20%) of the allowable sign surface area for one street frontage may be deducted and added to the other street frontage.
- b. The maximum height of business sign structures shall not exceed forty (40) feet above grade level at the base of such sign structures except when qualifying under section A, 1, p.

4. INCIDENTAL
SIGNS

- a. The number of incidental signs shall be unlimited; provided, however, that the surface area of each sign shall not exceed one (1) square foot.
- b. Incidental signs, except those accessory to parking and loading areas, shall be set back in accordance with the building setback lines required by the applicable zoning district for the lot.
- c. Signs accessory to parking and loading areas, shall be subject to the following requirements:
 - (1) Directional signs for traffic, pedestrian or other control, or designating entrances or exits to or from a parking or loading area, shall not exceed nine (9) square feet in surface area per sign.
 - (2) One sign, maximum surface area of sixteen (16) square feet, identifying a parking or loading area shall be permitted for each street frontage of such parking area. Said sign may include the name of the owner and/or name of the use for which it is provided.
 - (3) Signs accessory to parking or loading areas shall be set back a minimum of two (2) feet from any lot line unless attached flat to a building wall.

5. INTEGRATED CENTERS
- a. Content: Such sign shall be limited to the name of the center, trademark, product, activity, or service of each business and directional guide to the location of each commercial unit in the integrated center. It may be illuminated, but shall be neither flashing nor animated.
 - b. Area: The maximum surface area of such sign shall be one (1) square foot for each lineal foot of frontage of the lot, but not to exceed six hundred (600) square feet.
 - c. Height: The sign structure shall not project higher than forty (40) feet above grade level (at base of sign structure) except when qualifying under section A, 1, p.

B. DEFINITIONS

- 1. SIGN SIGN: shall mean and include any outdoor announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, activity, services or any interests.
- 2. ADVERTISING SIGN ADVERTISING SIGN: a sign which directs attention to any business, product, activity, or service; provided, however, that such sign shall not be related or make reference to the primary use, business, activity or service conducted on the premises.
- 3. BUSINESS SIGN BUSINESS SIGN: a sign which directs attention to a business, product, activity or service manufactured, sold or offered upon the premises as the primary use(s) where such sign is located.
- 4. INCIDENTAL SIGN INCIDENTAL SIGN: a name plate or sign relating to the lot or use thereof and designating accessory uses, direction, identification, information, or real estate for sale, rent, or lease.
- 5. SIGN SURFACE SIGN SURFACE: the entire area within a single, continuous perimeter enclosing all elements of the sign which form an integral part of the display.
- 6. FACING FACING: the surface of the sign upon, against or through which the message of the sign is exhibited.
- 7. SIGN STRUCTURE SIGN STRUCTURE: the supports, uprights, bracing and framework for the sign. In the case of a sign structure consisting of two or more sides, where the angle formed between any of the sides (or the projection thereof), exceeds fifteen (15) degrees, each side shall be considered a separate sign structure.

8. PROJECT-
ING SIGN

PROJECTING SIGN: a sign suspended from or supported by a building, structure, or column and projecting out therefrom more than eighteen (18) inches.

II. SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, work, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, work, provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and the same shall be in full force and effect from and after this date.

Beurt R. SerVaas

William K. Byrum

Rozell C. Boyd

William A. Brown

THE MARION COUNTY COUNCIL
OF
MARION COUNTY, INDIANA

DATED: July 2, 1968

ATTEST: John T. Sutton

AUDITOR OF MARION COUNTY, INDIANA